

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



November 16, 2000

David Boergers, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Subject: Oroville Facilities Relicensing (Project No. 2100) -
Request for Alternative Licensing Procedures to Include
an Applicant Prepared Environmental Assessment

Dear Secretary Boergers:

By means of this letter, the California Department of Water Resources is requesting Federal Energy Regulatory Commission approval to use the Alternative Licensing Procedures to develop an Applicant Prepared Environmental Assessment for the relicensing of the Oroville Division, State Water Facilities (FERC Project No. 2100), as authorized by the Energy Policy Act of 1992, FERC Order 596, and 18 CFR 4.34(i). Enclosed are an original and eight copies of this letter and the enclosure.

The enclosed draft Communications Protocol describes how communications will be facilitated among FERC, DWR, and other participants in the relicensing process. The draft Communications Protocol incorporates comments received from entities interested in the relicensing of the Oroville Facilities. DWR anticipates that the revised draft Communications Protocol may be adopted at the scheduled November 16, 2000 Plenary Group meeting of relicensing participants. Once initially adopted, the Communications Protocol contains a provision for further changes as determined necessary by the participants.

DWR held a public meeting in Oroville on June 29, 2000, to present DWR's proposal to use the Alternative Licensing Procedures. On July 13, 2000, DWR mailed out information and requested comments on DWR's proposed use of the ALP in relicensing the Oroville Facilities and the draft Communications Protocol. DWR has held numerous meetings and discussions with entities interested in participating in the relicensing process. Meetings or discussions have been held with most, if not all, State and federal resource agencies, and local Indian tribes have also been contacted. DWR has made presentations at formal meetings of local governmental bodies and local organizations and has also discussed the proposed relicensing process with other local entities. DWR has also met informally with other non-governmental organizations. Participants in these meetings have generally indicated support for an ALP approach and the draft Communications Protocol.

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During the meetings, some participants suggested that an Environmental Impact Statement, rather than an Environmental Assessment, would be appropriate for this relicensing. DWR acknowledges that an EIS may be needed, but proposes initially to prepare an Environmental Assessment. DWR looks forward to working with other participants to develop a settlement agreement that would be supported by either the Environmental Assessment or an EIS.

DWR has scheduled follow-up meetings with the public and relicensing participants for November 15 and 16, 2000, to further discuss the specifics of the ALP including the ALP framework, the draft Communications Protocol, and the ground rules. DWR plans to work with the participants and initiate the study planning and the environmental scoping process in the next two months. Scoping meetings are planned for spring 2001. DWR, therefore, respectfully requests that FERC expeditiously issue public notice and rule on this request.

In accordance with 18 CFR 4.34(i)(3)(iii), DWR is sending a copy of this letter to all affected resources agencies, affected Indian tribes, and all other entities and individuals who have expressed an interest in DWR's relicensing process.

If you have any questions, please do not hesitate to contact Viju Patel, Executive Manager, Power Systems, at (916) 653-5913 or Rick Ramirez of the State Water Project Analysis Office at (916) 653-1095.

Sincerely,

Original Signed by
Leslie F. Harder, Jr., for

Raymond D. Hart
Deputy Director

Enclosures

cc: Mr. James Fargo
Federal Energy Regulatory Commission
888 First Street, N.E., Room 61-03
Washington, DC 20426